



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA :

v. :

HIBAH LEE, :
Defendant. :

ORDER

19 CR 424 (VB)

-----X
Defendant Hibah Lee has moved for reconsideration of the Court's Order dated March 4, 2024, which denied his motion for a reduction of his term of imprisonment pursuant to 18 U.S.C. § 3582(c)(2) and Guidelines § 1B1.10.

As the Court made clear in its March 4 Order, the Court considered, among other things, "all of the other factors pointed out by defense counsel that have made Lee's incarceration particularly difficult." The reconsideration motion provides additional detail about those factors, but the essence of Lee's argument has not changed. In other words, the Court did not overlook any pertinent information or argument in denying the motion the first time. And the Court now reiterates that Lee's circumstances do not warrant a reduced term of imprisonment, for the reasons set forth in the March 4 Order and incorporated by reference herein.

Moreover, the Court rejects Lee's alternative argument that his term of imprisonment in this case should be reduced because in an unrelated prior case (07-cr-03) he "served five years more . . . than he should have." First of all, the sentence Lee served in the prior case simply has no relevance to whether in this case he should receive a reduced term of imprisonment based on a retroactive change to Section 4A1.1 of the Sentencing Guidelines. Moreover, even if Lee's prior unrelated sentence was somehow relevant, for the reasons set forth in the government's letter of April 22, 2024, there is no factual basis in the record to support Lee's claim that he served five years more than he "should have" served in the prior case.

Accordingly, the motion for reconsideration is DENIED.¹

Dated: April 30, 2024
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti".

Vincent L. Briccetti
United States District Judge

¹ Lee's initial motion dated February 9, 2024, his motion for reconsideration dated April 15, 2024, and the government's response to the motion for reconsideration dated April 22, 2024, will all be filed under seal.